

James E. Lerch Jr.  
USSN: 09/989,845  
Filed November 21, 2001

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

#### Listing of Claims

1. (Currently Amended) In a barrier assembly comprised of at least one longitudinally extending barrier railing supportably fastened to vertically extending posts, the improvement in such barrier assembly which comprises:

at least one longitudinally extending solid panel barrier railing having a width of from 1/2 foot to 2 feet and having at least one generally T-shaped channel with outwardly extending legs, the channel extending in the longitudinal direction of said barrier railing, where the generally T-shaped channel has an inwardly extending tab at the end of each leg of the generally T-shaped channel;

at least two vertically extending posts having an elongated body and having at least two vertical flange segments extending outwardly in opposite ~~direction~~ directions and having at least one perforation in each flange segment; and

fastening means slidably embraced within said generally T-shaped channel and extending through the at least one perforation in said flange segment and thereby fastened to said vertical posts, the tabs permitting slidable movement of the posts along the longitudinal direction of the barrier railing before tightening the fastening means depending on the desired barrier railing support provided by the posts post-to-provide a ~~variably select elevation of said longitudinally extending railing.~~

2. (Cancelled)

3. (Previously Presented) The barrier of Claim 2 wherein the railing has at least two T-shaped channels.

James E. Lerch Jr.  
USSN: 09/989,845  
Filed November 21, 2001

4. (Currently Amended) The barrier of Claim 1 wherein the at least one each longitudinally extending railing has a T-shaped channel slot, and bolts that extend outwardly from the railing and through the at least one perforation in the flange segment, with the bolt head retained in the channel are the fastening means, where a nut is used to complete fastening.

5. (Original) The barrier of Claim 4, wherein the flange segments extend at a 180 degrees angle to each other.

6. (Cancelled)

7. (Previously Presented) The barrier of Claim 4 wherein the railing and vertical posts are formed from aluminum by an extrusion process.

8. (Currently Amended) A method for providing a barrier assembly having at least one longitudinally extending barrier railing supportably fastened to vertically extending posts, comprising:

providing at least one longitudinally extending barrier railing having at least one generally T-shaped channel with outwardly extending legs, the channel extending in the longitudinal direction of said railing, where the generally T-shaped channel has an inwardly extending tab at the end of each leg of the generally T-shaped channel;

providing at least two one vertically extending posts having an elongated body and having at least two vertical flange segments extending outwardly in opposite direction and having at least one perforation in each flange segment;

slidably fastening to said vertical post said generally T-shaped channel through the at least one perforation in said flange segment, where the tabs permit slidable movement of the posts along the longitudinal direction of the barrier railing before fastening depending on the desired barrier railing support to be provided by the posts; and providing a variably select elevation of said longitudinally extending railing.

James E. Lerch Jr.  
USSN: 09/989,845  
Filed November 21, 2001

9. (Cancelled)

10. (Currently Amended) The method of Claim 8 wherein the barrier railing has at least two T-shaped channels and a width of from ½ foot to 2 feet.

11. (Currently Amended) The method of Claim 8 wherein ~~each~~ the at least one longitudinally extending railing has a T-shaped channel slot.

12. (Original) The method of Claim 11, wherein the flange segments extend at a 180 degrees angle to each other.

13. (Cancelled)

14. (Previously Presented) The method of Claim 10 wherein the railing and vertical posts are formed from aluminum by an extrusion process.

15. (Previously Presented) The method of Claim 11 wherein the railing and vertical posts are formed from aluminum by an extrusion process.

16. (Previously Presented) The method of Claim 12 wherein the railing and vertical posts are formed from aluminum by an extrusion process.

17. (Cancelled)

18. (Currently Amended) Barrier apparatus ~~Apparatus~~, comprising:

a barrier having at least one longitudinally extending barrier railing supportably fastened to at least two vertically extending posts;

at least one longitudinally extending solid panel barrier railing having a width of from ½ foot to 2 feet and having at least one generally T-shaped channel with outwardly extending legs, the channel extending in the longitudinal direction of said barrier railing, where the T-shaped channel has an inwardly extending tab at the end of each leg of the T-shaped channel;

James E. Lerch Jr.  
USSN: 09/989,845  
Filed November 21, 2001

at least two vertically extending posts having an elongated body and having at least two vertical flange segments extending outwardly in opposite ~~direction~~ directions and having at least one perforation in each flange segment; and

fastening means slidably embraced within said T-shaped channel and extending through the at least one perforation in said flange segment and thereby fastened to said vertical ~~post~~ posts, the tabs permitting slidable movement of the posts along the longitudinal direction of the barrier railing before tightening the fastening means depending on the desired support to be provided by the posts to provide a variably select elevation of said longitudinally extending railing.

19. (Cancelled)

20. (Previously Presented) Apparatus as set forth in Claim 18 wherein the railing has at least two T-shaped channels.

21. (Cancelled)

22. (Currently Amended) Apparatus as set forth in Claim 18 ~~19~~ wherein each longitudinally extending railing has a T-shaped channel slot and bolts that extend outwardly from the railing and through the at least one perforation in the flange segment, with the bolt head retained in the channel are the fastening means where a nut is used to complete fastening.

23. (Cancelled)

24. (Currently Amended) Apparatus as set forth in Claim 18 ~~23~~ wherein the railing and vertical posts are formed from aluminum by an extrusion process.